



**Solicitation Information**  
**June 23, 2014**

**RFP# 7548842**

**TITLE: Analytical Laboratory Inspection Services**

**Submission Deadline: July 24, 2014 at 10:00 AM (Eastern Time)**

**PRE-BID/ PROPOSAL CONFERENCE: No**

**MANDATORY:**

If YES, any Vendor who intends to submit a bid proposal in response to this solicitation must have its designated representative attend the mandatory Pre-Bid/ Proposal Conference. The representative must register at the Pre-Bid/ Proposal Conference and disclose the identity of the vendor whom he/she represents. A vendor's failure to attend and register at the mandatory Pre-Bid/ Proposal Conference shall result in disqualification of the vendor's bid proposals as non-responsive to the solicitation.

**DATE:**

**LOCATION:**

Questions concerning this solicitation must be received by the Division of Purchases at [David.Francis@purchasing.ri.gov](mailto:David.Francis@purchasing.ri.gov) no later than **July 1, 2014 at 10:00 AM (ET)**. Questions should be submitted in a *Microsoft Word attachment*. Please reference the RFP# on all correspondence. Questions received, if any, will be posted on the Internet as an addendum to this solicitation. It is the responsibility of all interested parties to download this information.

**SURETY REQUIRED: No**

**BOND REQUIRED: No**

David J. Francis  
Interdepartmental Project Manager

Applicants must register on-line at the State Purchasing Website at [www.purchasing.ri.gov](http://www.purchasing.ri.gov) .

**Note to Applicants:**

Offers received without the entire completed four-page RIVIP Generated Bidder Certification Form attached may result in disqualification.

**THIS PAGE IS NOT A BIDDER CERTIFICATION FORM**

## **TABLE OF CONTENTS**

Section 1 –Introduction.....	3
Section 2- Background .....	5
Section 3- Scope of Work.....	5
Section 4 – Contractor Deliverable .....	7
Section 5 – Technical Proposal .....	7
Section 6- Cost Structure .....	8
Section 7 – Evaluation & Selection .....	8
Section 8 – Proposal Submission .....	9

## **SECTION 1: INTRODUCTION**

The Rhode Island Department of Administration/Division of Purchases, on behalf of the Rhode Island Department of Health (HEALTH), is soliciting proposals from qualified Vendors to provide Analytical Laboratory inspection services in accordance with the terms of this Request for Proposals and the State's General Conditions of Purchase, which may be obtained at the Rhode Island Division of Purchases Home Page by Internet at [www.purchasing.ri.gov](http://www.purchasing.ri.gov) .

The Vendor cannot have direct interest in any practice or primary care provider who is eligible to participate (see section 4b) in the Project. Up to three qualified vendors may be awarded a contract.

The contract will begin approximately September 1, 2014 and end June 30, 2015. Contracts may be renewed for up to three additional 12-month periods based on vendor performance and the availability of funds. HEALTH reserves the right to terminate the contract within the first contract term if the contractor is not able to meet the specified requirements.

HEALTH is seeking expert consultant services for the Division of Laboratories, Environmental Section, relative to on-site inspections of municipal and commercial analytical laboratories. Significant emphasis will be placed on experience in theory and practice relative to the oversight and/or inspection of environmental laboratories. Individuals who can demonstrate knowledge, experience and accomplishments in this area are encouraged to submit a letter of interest in response to this request.

This is a Request for Proposals not an Invitation for Bid: responses will be evaluated on the basis of the relative merits of the proposal, in addition to price; there will be no public opening and reading of responses received by the Division of Purchases pursuant to this Request, other than to name those offerors who have submitted proposals.

### **INSTRUCTIONS AND NOTIFICATIONS TO OFFERORS:**

1. Potential vendors are advised to review all sections of this RFP carefully and to follow instructions completely, as failure to make a complete submission as described elsewhere herein may result in rejection of the proposal.
2. Alternative approaches and/or methodologies to accomplish the desired or intended results of this procurement are solicited. However, proposals which depart from or materially alter the terms, requirements, or scope of work defined by this RFP will be rejected as being non-responsive.
3. All costs associated with developing or submitting a proposal in response to this RFP, or to provide oral or written clarification of its content shall be borne by the vendor. The State assumes no responsibility for these costs.
4. Proposals are considered to be irrevocable for a period of not less than 120 days following the opening date, and may not be withdrawn, except with the express written permission of the State Purchasing Agent.

5. All pricing submitted will be considered to be firm and fixed unless otherwise indicated herein.
6. Proposals misdirected to other state locations, or which are otherwise not present in the Division at the time of opening for any cause will be determined to be late and will not be considered. For the purposes of this requirement, the official time and date shall be that of the time clock in the reception area of the Division.
7. It is intended that an award pursuant to this RFP will be made to a prime vendor, or prime vendors in the various categories, who will assume responsibility for all aspects of the work. Joint venture and cooperative proposals will not be considered. Subcontracts are permitted, provided that their use is clearly indicated in the vendor's proposal and the subcontractor(s) to be used is identified in the proposal.
8. All proposals should include the vendor's FEIN or Social Security number as evidenced by a W9, downloadable from the Division's website at [www.purchasing.ri.gov](http://www.purchasing.ri.gov).
9. The purchase of services under an award made pursuant to this RFP will be contingent on the availability of funds.
10. Vendors are advised that all materials submitted to the State for consideration in response to this RFP will be considered to be Public Records as defined in Title 38, Chapter 2 of the General Laws of Rhode Island, without exception, and will be released for inspection immediately upon request once an award has been made.
11. Interested parties are instructed to peruse the Division of Purchases website on a regular basis, as additional information relating to this solicitation may be released in the form of an addendum to this RFP.
12. Equal Employment Opportunity (G.L. 1956 § 28-5.1-1, et seq.) – § 28-5.1-1 Declaration of policy – (a) Equal opportunity and affirmative action toward its achievement is the policy of all units of Rhode Island state government, including all public and quasi-public agencies, commissions, boards and authorities, and in the classified, unclassified, and non-classified services of state employment. This policy applies to all areas where State dollars are spent, in employment, public services, grants and financial assistance, and in state licensing and regulation.
13. In accordance with Title 7, Chapter 1.2 of the General Laws of Rhode Island, no foreign corporation, a corporation without a Rhode Island business address, shall have the right to transact business in the State until it shall have procured a Certificate of Authority to do so from the Rhode Island Secretary of State (401-222-3040). This is a requirement only of the successful vendor(s).

14. The vendor should be aware of the State's Minority Business Enterprise (MBE) requirements, which address the State's goal of ten percent (10%) participation by MBE's in all State procurements. For further information visit the website [www.mbe.ri.gov](http://www.mbe.ri.gov)
15. Under HIPAA, a "business associate" is a person or entity, other than a member of the workforce of a HIPAA covered entity, who performs functions or activities on behalf of, or provides certain services to, a HIPAA covered entity that involves access by the business associate to HIPAA protected health information. A "business associate" also is a subcontractor that creates, receives, maintains, or transmits HIPAA protected health information on behalf of another business associate. The HIPAA rules generally require that HIPAA covered entities and business associates enter into contracts with their business associates to ensure that the business associates will appropriately safeguard HIPAA protected health information. Therefore, if a Contractor qualifies as a business associate, it will be required to sign a HIPAA business associate agreement
16. In order to perform the contemplated services related to the Rhode Island Health Benefits Exchange (HealthSourceRI), the vendor hereby certifies that it is an "eligible entity," as defined by 45 C.F.R. § 155.110, in order to carry out one or more of the responsibilities of a health insurance exchange. The vendor agrees to indemnify and hold the State of Rhode Island harmless for all expenses that are deemed to be unallowable by the Federal government because it is determined that the vendor is not an "eligible entity," as defined by 45 C.F.R. § 155.110.

## **SECTION 2: BACKGROUND**

The proper operation of laboratories within the state is a matter of vital concern to the health and safety of the State. The determination and enforcement of proper standards is necessary to ensure the qualifications and competence of personnel in the laboratories and to ensure the adequacy of equipment, facilities, and quality assurance programs required for the operation of analytical laboratories in order to promote the general welfare. It shall be unlawful for any analytical laboratory to perform testing or analyses of samples originating in this state, for which HEALTH requires certification, without obtaining certification pursuant to Title 23 Chapter 23-16.2-4 of the RI General Laws, as amended. Certification for specific analytes and methods shall be required for laboratory testing of potable water, non-potable water and environmental samples for lead content.

## **SECTION 3: SCOPE OF WORK**

The contract will begin approximately September 1, 2014 and end June 30, 2015. HEALTH reserves the right to align the contract with the state fiscal year end, even if the activities are scheduled to end at an earlier date. To ensure compliance, HEALTH shall regularly monitor the activities under this contract. The contractor must provide access to any and all materials relevant to the evaluation and monitoring activities and requirements describes herein. The

contractor will be responsible for supervision, performance and adherence to contractual language of all its subcontractors. The State will retain total discretion of all administrative decisions regarding the management and billing of and/or receipt of payments for services rendered. The contractor must have sufficient liability insurance coverage. Cancellation Clause: With a thirty (30) day notice HEALTH may cancel the contract for cause.

1. Conduct on-site inspections of analytical laboratories under the certification authority of the HEALTH, Division of Laboratories according to the Standard Operating Procedure (SOP CERT01) Procedure for On-site Inspections of Analytical Laboratories. These inspections are to be conducted using:
  - a. the requirements set forth in the current edition of the Manual for the Certification of Laboratories Analyzing Drinking Water;
  - b. the Rules and regulations for Certifying Analytical Laboratories (R23-16.2-A/LAB);
  - c. EPA promulgated methods for analysis of drinking water and/or wastewater;
  - d. the checklist provided in the Manual for the Certification of Laboratories Analyzing Drinking Water and the applicable checklists approved for use by the Certification Officer.
2. Prepare and submit to HEALTH Certification Officer a report of deviations for each inspected laboratory, based on the on-site visit. The report would include defensible negative findings, which support cited deviations from the standards in the Manual for the Certification of Laboratories Analyzing Drinking Water or required by the State or federal regulations, and recommend corrective action.
3. Review the laboratories corrective action plans and evidence of undertaken corrective action, when requested to do so by the Certification Officer, to determine if the plans represent reasonable measures to correct the cited deviations.
4. Recommend to the Certification Officer the granting or denial of certification for specific categories and certification for specific methods and analytes.
5. Coordinate the schedule of inspections with the Certification Officer. Time allotted for the surveys shall consist of the following:
  - a. a review of the pertinent information as required by SOP CERT01 prior to the on-site visit as necessary to determine the scope of the inspection;
  - b. the on-site inspection based on laboratory size and scope of certification;
  - c. preparation of the on-site inspection report;
  - d. a follow-up on-site visit when necessary, and
  - e. review of corrective action plans when necessary.
6. Arrange travel to and from the facility, including overnight hotel stays if approved by the Certification Officer. The inspector must maintain mileage and odometer records and the summary of expenses must be submitted for reimbursement in a timely manner.
7. Participate in the adjudication and enforcement process if required.

#### **SECTION 4: CONTRACTOR DELIVERABLES**

1. Conduct on-site inspections of analytical laboratories using the requirements set forth in the current edition of the USEPA Manual for the Certification of Laboratories Analyzing Drinking Water, Fifth Edition (EPA 815-R-05-004) and the Rules and Regulations for Certifying Analytical Laboratories (R23-16.2-A/LAB.)
2. Detailed reports relative to inspection results
3. Recommended plans for corrective action(s) relative to laboratory deficiencies,
4. Review and critique laboratory action plans.

#### **SECTION 5: TECHNICAL PROPOSAL**

1. Capability, Capacity, and Qualifications of the Offeror - Please provide a detailed description of the Offeror's education, background and experience as an environmental laboratory inspector,
  - a. They must provide a copy of their EPA Certificate of Certification Officer Training;
  - b. A list of relevant client references must be provided, to include client names, addresses, phone numbers;
  - c. Possession of a Bachelor's Degree is required, and consultants must have successfully completed the Certification Officers Training Course offered by the EPA in the field of inorganic chemistry, organic chemistry and/or microbiology;
  - d. Applicants must be experienced in theory and practice of State oversight of environmental laboratories; and
  - e. Applicant(s) must have at least three (3) years of experience in conducting on-site inspections of environmental laboratories testing drinking water, wastewater and/or solid/hazardous waste for chemical and microbiological. Applicant(s) CV must include employment conducting environmental laboratory inspections or audits.
2. Work plan - Please describe in detail, the framework within which environmental laboratory inspection services will be performed. The following elements must be included: Methods used to conduct on-site inspections of environmental laboratories testing drinking water, wastewater and/or solid/hazardous waste for chemical and microbiological. A system of controls to identify errors, omissions and feedback to the laboratory certification officer.

3. Approach/Methodology – Define the methodology to be used for the submission of inspection report of findings to the laboratory certification officer and ultimately the inspected laboratory. What procedures will be used to ensure accurate and timely submission of the inspection report?

#### **SECTION 6: COST STRUCTURE**

HEALTH agrees to compensate the contractor at the rate of \$53.75/hour for such services. Mileage expenses will be reimbursed at the current rate effective for RI State employees. Overnight accommodations, if approved, will be reimbursed at the actual rates.

The inspector will perform on-site inspections of certified analytical laboratories as directed by the Certification Officer or her designee, and will be paid at a rate of \$53.75 per hour. This rate is may be subject to change by the State.

The consultant(s) must agree with the pricing or they will be deemed non –responsive and may have their proposal be dropped from consideration

Work-related travel expenses (i.e. mileage) should be submitted to the Certification Officer for approval, and reimbursement will be made at the rate consistent with current statewide reimbursement rates.

**Vendor is expected to affirm acceptance of the rates in writing in order to pass the cost section. Failure to accept the rate may result in your proposal being dropped from consideration.**

#### **SECTION 7: EVALUATION AND SELECTION**

Proposals will be reviewed by a Technical Review Committee comprised of staff from state agencies. The Proposal must receive a minimum of 75 (75%) out of a maximum of 100 technical points to be considered responsive. Any technical proposals scoring less than 75 points will be dropped from further consideration.

The Department of Health reserves the exclusive right to select the applicant(s) that it deems to be in its best interest to accomplish the project as specified herein; and conversely, reserves the right not to fund any proposal(s).

Criteria	Possible Points
Capability, Capacity and Qualifications of the Offereor	<i>40 Points</i>
Work Plan	<i>40 Points</i>
Approach/Methodology	<i>20 Points</i>
A cost proposal or statement verifying that the applicant can provide the services at the rate of \$53.75/hour (no rate change)	<i>pass/fail</i>
<b>Total Possible Points</b>	<b><i>100 Points</i></b>



Applicants with the highest total score will be considered first for possible funding. Based on the Technical Review Committee's evaluation and assigned scores a recommendation for tentative awards will be made. Once approved, HEALTH will begin negotiations with the recommended Vendors to finalize the contractual agreements.

Notwithstanding the above, the State reserves the right to accept or reject any or all offers. The State also reserves the right to award in whole, or in part, and to act in its best interest. Proposals found to be technically or substantially non-responsive at any point in the evaluation process will be rejected and not considered further.

**Applications, which are incomplete in any material respect, will be deemed non-responsive and will not be considered.**

HEALTH reserves the exclusive right to select the individual(s) or firm (vendor) that it deems to be in its best interest to accomplish the project as specified herein; and conversely, reserves the right not to fund any proposal(s).

Points will be assigned based on the offeror's clear demonstration of his/her abilities to complete the work, apply appropriate methods to complete the work, create innovative solutions and quality of past performance in similar projects.

Applicants may be required to submit additional written information or be asked to make an oral presentation before the technical review committee to clarify statements made in their proposal.

## **SECTION 8: PROPOSAL SUBMISSION**

Questions concerning this solicitation may be e-mailed to the Division of Purchases at [David.Francis@purchasing.ri.gov](mailto:David.Francis@purchasing.ri.gov) no later than the date and time indicated on page one of this solicitation. Please reference **RFP # 7548842** on all correspondence. Questions should be submitted in a Microsoft Word attachment. Answers to questions received, if any, will be posted on the Internet as an addendum to this solicitation. It is the responsibility of all interested parties to download this information. If technical assistance is required to download, call the Help Desk at (401) 574-9709.

Offerors are encouraged to submit written questions to the Division of Purchases. **No other contact with State parties will be permitted.** Interested offerors may submit proposals to provide the services covered by this Request on or before the date and time listed on the cover page of this solicitation. Responses received after this date and time, as registered by the official time clock in the reception area of the Division of Purchases will not be considered.

Responses (**an original plus four (4) copies**) should be mailed or hand-delivered in a sealed envelope marked "**RFP# 7548842 Analytical Laboratory Inspection Services**" to:

RI Dept. of Administration  
Division of Purchases, 2nd floor  
One Capitol Hill  
Providence, RI 02908-5855

NOTE: Proposals received after the above-referenced due date and time will not be considered. Proposals misdirected to other State locations or those not presented to the Division of Purchases by the scheduled due date and time will be determined to be late and will not be considered. Proposals faxed or emailed to the Division of Purchases will not be considered. The official time clock is in the reception area of the Division of Purchases.

## RESPONSE CONTENTS

Responses should include the following:

- 1 A completed and signed four-page R.I.V.I.P generated bidder certification cover sheet downloaded from the RI Division of Purchases Internet home page at [www.purchasing.ri.gov](http://www.purchasing.ri.gov).
- 2 A completed and signed W-9 downloaded from the RI Division of Purchases Internet home page at [www.purchasing.ri.gov](http://www.purchasing.ri.gov).
- 3 **A separate Technical Proposal** describing the qualifications and background of the applicant and experience with and for similar projects, and all information described earlier in this solicitation. The Technical Proposal is limited to six (6) pages (this excludes any appendices). As appropriate, resumes of key staff that will provide services covered by this request.
- 4 **A separate, signed and sealed Cost Proposal** reflecting the hourly rate, or other fee structure, proposed to complete all of the requirements of this project.
- 5 In addition to the multiple hard copies of proposals required, Respondents are requested to provide their proposal in **electronic format (CD ROM, diskette, or flash drive)**. Microsoft Word / Excel OR PDF format is preferable. Only 1 electronic copy is requested, and it should be placed in the proposal marked "original".

## CONCLUDING STATEMENTS

Notwithstanding the above, the State reserves the right not to award this contract or to award on the basis of cost alone, to accept or reject any or all proposals, and to award in its best interest.

Proposals found to be technically or substantially non-responsive at any point in the evaluation process will be rejected and not considered further.

The State may, at its sole option, elect to require presentation(s) by offerors clearly in consideration for award.